

EXHIBIT A

1100201149252

BRIAN S. COUTTS, ESQ. #8163
TYLER J. BROWN, ESQ. #15555
NUTTALL, BROWN & COUTTS
Attorneys for Plaintiff
6925 Union Park Center, Suite 210
Cottonwood Heights, Utah 84047-4198
Telephone: 801- 255-2102
Facsimile: 801- 255-2032
tylerbrown@nuttallbrown.com
briancoutts@nuttallbrown.com

**IN THE SECOND JUDICIAL DISTRICT COURT
IN AND FOR WEBER COUNTY, STATE OF UTAH**

<p>WILLIAM WHITE, an Individual, Plaintiff,</p> <p>v.</p> <p>NAVAJO SHIPPERS, Inc., a Colorado corporation, Defendant.</p>	<p>SUMMONS</p> <p>Civil No. 180904733</p> <p>Honorable: ERNIE W JONES</p>
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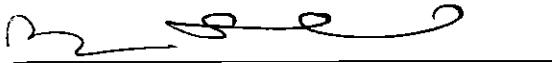
THE STATE OF UTAH TO THE ABOVE-NAMED DEFENDANT:

You are hereby summoned and required to file an Answer in writing to the attached Complaint with the clerk of the court at the following address: 2525 Grant Avenue Ogden, UT 84401, and to serve upon, or mail to NUTTALL, BROWN & COUTTS, Plaintiff's attorney, 6925 Union Park Center, Suite 210, Cottonwood Heights, Utah 84047-4198, a copy of said

Answer, within 21 days after service of this Summons upon you.

If you fail so to do, judgment by default will be taken against you for the relief demanded in said Complaint, which has been filed with the clerk of said court and a copy of which is hereto annexed and herewith served upon you.

DATED this 27th day of August, 2018.



BRIAN S. COUTTS, ESQ.
NUTTALL, BROWN & COUTTS
Attorneys for Plaintiff

Serve Defendant at:

Donald R. Digby Jr.
1400 West 64th Ave.
Denver, CO 80221

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IN THE SECOND JUDICIAL DISTRICT COURT

IN AND FOR WEBER COUNTY, STATE OF UTAH

WILLIAM WHITE, an Individual,

Plaintiff,

v.

NAVAJO SHIPPERS, Inc.,
a Colorado corporation,

Defendant.

COMPLAINT (TIER 3)

Civil No.

Honorable:

Plaintiff William White, by and through his attorneys of record, NUTTALL, BROWN & COUTTS, complains of the above-captioned Defendant, alleging as follows:

1. This Complaint is a personal injury action arising out of a motor vehicle collision that occurred in Weber County, State of Utah, on March 11, 2016.
2. On the date of the collision mentioned above, Plaintiff William White was a resident of Clark County, State of Nevada.

3. On the date of the above-mentioned collision, and at all times herein mentioned, Defendant Navajo Shippers, Inc. was a Colorado corporation, doing business in the state of Utah.
4. This Court has subject matter jurisdiction over this action pursuant to Utah Code Ann. §78A-5-102.
5. Venue is proper before this Court pursuant to Utah Code Ann. §78B-3-307.
6. This Court has personal jurisdiction over the defendants pursuant to Utah Code Ann. §78B-3-205.
7. This is a Tier 3 action, as defined by Rule 26(c), Utah Rules of Civil Procedure.
8. On March 11, 2016, Plaintiff William White was at a Flying J truck stop at 1172 W. 2100 S. in West Haven, Utah in a parked semi-truck.
9. William White was sitting on one of the beds in the semi-truck while another occupant of the semi-truck was sitting on the other bed below.
10. The semi-truck in which Mr. White was sitting was struck by a semi-truck owned by defendant Navajo Shippers, Inc.
11. As a result of the impact William White was knocked off the bunk of the sleeper, his body struck the other occupant who was sitting on the bunk below, and then Mr. White ultimately landed on his head on the floor of the truck.
12. At the time of the collision, the driver of the semi-truck that struck the semi-truck in which Mr. White was sitting, was in the course and scope of his employment with Defendant Navajo Shipper, Inc.
13. Plaintiff sustained personal injuries as a result of the collision.

14. The driver of defendant's vehicle was negligent, and his negligence proximately caused the aforementioned accident, and Plaintiff William White's injuries and losses.

15. Defendant is independently responsible for the negligence of its employee / driver, under the doctrine Respondeat Superior.

16. The insured driver's negligent acts include, but are not limited to:

- a. Failure to maintain a proper lookout;
- b. Driving too closely to another vehicle; and
- c. Failure to maintain control of his vehicle.

17. Plaintiff William White in no way contributed to the cause of the foregoing collision.

18. As a direct and proximate result of the negligence of Defendant's employee, Plaintiff William White suffered injury to his person, resulting in past, present, and future pain and suffering, financial hardship, anxiety, mental and emotional injuries, and diminished quality and enjoyment of life.

19. As a direct and proximate result of the negligence Defendant's employee, Plaintiff William White has incurred necessary and reasonable medical expenses for treatment of his injuries in excess of \$18,000.00.

20. As a direct and proximate result of the negligence of Defendant's employee, Plaintiff William White lost income.

WHEREFORE, Plaintiff William White prays for judgment against Defendant as follows:

- A. For general damages for past, present and future pain and suffering, injury, impairment, anxiety, financial hardship, anxiety, mental and emotional injuries,

diminished quality and enjoyment of life, including recreational, social and leisure pursuits, in amounts to be determined at trial;

B. For past accident-related medical expenses, together with all future accident-related medical expenses, in an amount to be proven at trial;

C. For accident-related lost income, in an amount to be proven at trial;

D. For all other out-of-pocket costs and accident-related expenses;

E. For interest at the legal rate from the date Plaintiff's injuries were incurred until the date of judgment, and for post-judgment interest from the date of judgment; and

F. For costs of court incurred in this action, and for any other and further relief which the Court may deem proper.

DATED this 3rd day of August, 2018.

/s/ Brian S. Coutts
BRIAN S. COUTTS, ESQ.
NUTTALL, BROWN & COUTTS
Attorneys for Plaintiff

Plaintiff's Address:
3239 W. Barstow Ave.
Fresno, CA 93711